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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,341	07/03/2001	David A. Jones	659/866	2473
7	590 12/26/2001			
Gleln P. Belvis BRINKS HOFER GILSON & LIONE P.O. BOX 10395			EXAMINER	
			CHIN, PETER	
CHICAGO, IL 60610			ART UNIT	PAPER NUMBER
			1731	4
			DATE MAILED: 12/26/2001	

Please find below and/or attached an Office communication concerning this application or proceeding.

#2						
Office Action Summary		Application No.	Applicant(s)			
		09/898,341	JONES ET AL.			
		Examiner	Art Unit			
		Peter Chin	1731			
The MAILING DATE f this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  Status						
1) 🗌	Responsive to communication(s) filed on					
2a) <u></u> □	This action is <b>FINAL</b> . 2b)⊠ Th	nis action is non-final.				
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4)⊠ Claim(s) <u>1-22</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-22</u> is/are rejected.						
. 7)	Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/or election requirement.						
Application	on Papers					
9)□ T	he specification is objected to by the Examine	er.				
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.						
If approved, corrected drawings are required in reply to this Office action.						
12) The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:						
•		ts have been received				
<ul><li>1. Certified copies of the priority documents have been received.</li><li>2. Certified copies of the priority documents have been received in Application No</li></ul>						
Copies of the certified copies of the priority documents have been received in Application No      Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).						
<ul> <li>a) ☐ The translation of the foreign language provisional application has been received.</li> <li>15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.</li> </ul>						
Attachment(s)						
2) Notice	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948) ation Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u>	5) Notice of Informal F	r (PTO-413) Paper No(s) Patent Application (PTO-152)			
S Patent and Tra	domest Office					

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## **DETAILED ACTION**

1. Claims 1-3 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Voigtman et al (2,996,424 or 3,017,317), or Donnelly (3,014,832).

Voigtman et al and Donnelly disclose the addition of ketene dimer to tissue paper, including multiply or layer tissue paper. It is applied to the web in the form of an emulsion. The ketene dimer is present in the web in an amount of between 0.5 to 50 pounds/ton of web in Voigtman et al and 0.01 to 25 pounds/ton web in Donnelly. The amounts used do not adversely affect the absorbency of the tissue paper. The fibers disclosed by the references inherently includes the "long fibers" and thus Voigtman et al and Donnelly anticipates the claimed invention or at the least, it would have been obvious to use "long fibers". In regard to claim2, the absorbency rate is inherently shown by the references since the same amount of ketene dimer is used.

2. Claims 4-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voigtman et al (2,996,424 or 3017,317) or Donnelly (3,014,832).

The references employ an aqueous emulsion of ketene dimer. It is well known and understood that ketene dimers are water insoluble and hydrophobic and require an emulsifier or surfactant to produce an emulsion. Thus it would have been obvious to employ a surfactant for the ketene dimer. Moreover, it is especially obvious since it is standard and conventional practice in the art to add surfactants to tissue paper to improve softness and absorbency.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Chin whose telephone number is (703) 308-2046. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on (703) 308-3837. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7718 for regular communications and (703) 305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.

Peter Chin Primary Examiner Art Unit 1731

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December 17, 2001